



13 1/45 Scott Gules Refund SB 7/11

IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: STEVEN H GOLDMAN	Case Number: 15SL-CC01949
Plaintiff/Petitioner: ANGELINA JACKSON	Plaintiff's/Petitioner's Attorney/Address VINCENT A. BANKS III SUITE 134 800 WASHINGTON AVENUE SAINT LOUIS, MO 63101
Defendant/Respondent: MOHELA	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Employmnt Discrimtn 213.111	

SHERIFF FEE  
PAID

FILED (U.S. District Court)

Summons in Civil Case

The State of Missouri to: MOHELA  
Alias:

JAMES MATCHETTS  
GENERAL COUNSEL  
633 SPIRIT DR  
CHESTERFIELD, MO 63005

COURT SEAL OF  
  
ST. LOUIS COUNTY

19 TRAUKER

JUL 08 2015  
JOAN M. GILMER  
CIRCUIT CLERK, ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

11-JUN-2015  
Date

Further Information:  
TLC

ST LOUIS COUNTY  
SHERIFF'S OFFICE  
RECEIVED  
JUN 26 AM 9:15  
JUN 26 2015

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

Scott Gules (name) Agents (title).

☐ other

Served at 633 Spirit 63005 (address)  
in St. Louis (County/City of St. Louis), MO, on 7-6-15 (date) at 1145 (time).

R. Trautwein (Printed Name of Sheriff or Server) R. Trautwein (Signature of Sheriff or Server)

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on (date).

My commission expires: Date Notary Public

Sheriff's Fees, if applicable

Summons \$  
Non Est \$  
Sheriff's Deputy Salary  
Supplemental Surcharge \$ 10.00  
Mileage \$ ( miles @ \$. per mile)  
Total \$

Exhibit A

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

6/30/15



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**SHERIFF FEE  
PAID**

(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: MOHELA

Alias:

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GENERAL COUNSEL  
633 SPIRIT DR  
CHESTERFIELD, MO 63005

COURT SEAL OF



ST. LOUIS COUNTY

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Date

Further Information:  
TLC

*Jean P. Delaney*  
Clerk

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

\_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Sheriff's Deputy Salary \$ \_\_\_\_\_  
 Supplemental Surcharge \$ 10.00  
 Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

**Purpose of Notice**

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

**Your Rights and Obligations in Court Are Not Affected By This Notice**

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

**Alternative Dispute Resolution Procedures**

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the "neutral," who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

**(1) Advisory Arbitration:** A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator's decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

**(2) Mediation:** A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

**(3) Early Neutral Evaluation (“ENE”):** A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

**(4) Mini-Trial:** A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

**(5) Summary Jury Trial:** A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

### **Selecting an Alternative Dispute Resolution Procedure and a Neutral**

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

ANGELINA JACKSON	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Cause No.:
	)	
MOHELA,	)	Division:
	)	
Serve:	)	
James Matchefts	)	
General Counsel	)	<b>JURY TRIAL DEMANDED</b>
633 Spirit Drive	)	
Chesterfield, MO 63005	)	
	)	
Defendant.	)	

**PETITION**

**COMES NOW**, Plaintiff Angelina Jackson, by and through counsel, and for her claim against Defendant MOHELA states as follows:

1. Plaintiff is a resident of St. Louis County, Missouri.
2. Defendant is a contracted servicer for the Department of Education, public instrumentality, body politic, and corporate of the State of Missouri, and the claim arose in St. Louis County, Missouri.
3. Venue is proper pursuant to § 508.010.4 R.S. Mo.
4. That Plaintiff was hired by Defendant in February 2012 as a Loan Servicing Counselor/Customer Service Department.

5. That in July 2012, Plaintiff became a member of Defendant's Diversity and Inclusion Committee.
6. That in June 2013, Plaintiff became a member of Defendant's African American Business Resource Group Committee.
7. That in August 2013, Plaintiff became a member of Defendant's Motivation Committee.
8. That on or about October 23, 2013, Plaintiff received a group email that contained what some African American employees felt was racially offensive content.
9. That on or about October 24, 2013, Plaintiff was approached by several African American employees for an explanation of the previous-day's email's perceived offensive content.
10. That on or about October 24, 2013, Plaintiff obtained verbal permission from her immediate manager to address the issue.
11. That on or about October 24, 2013, Plaintiff expressed the African American employees' concern with regard to the email language to the author of the email, newly hired Assistant Director Laura Catlett.
12. That on or about October 24, 2013, Plaintiff was suspended from employment and wrongfully terminated by Defendant for participating in the investigation of the racially offensive content of the group email.
13. That Defendant's conduct violates §213.055 R.S. Mo., in that the State of Missouri affords a public policy exception to the at-will employment doctrine for participants in a human resource's investigation.
14. That on or about October 31, 2013, within 180 days of the acts stated herein, Plaintiff dually filed a charge of discrimination with the Equal Employment Opportunity

Commission (EEOC 560-2014-00153) and the Missouri Commission on Human Rights (MCHR FE-10/13-20588) against Defendant.

15. On or about March 12, 2015, Plaintiff was notified by the EEOC that she may institute a civil action against Defendant.
16. On or about April 24, 2015, Plaintiff was notified by the MCHR that she may institute a civil action against Defendant.
17. Plaintiff has exhausted her administrative remedies.
18. As a direct and proximate result of Defendant's wrongful termination of Plaintiff, Plaintiff has suffered physical, mental and emotional anguish and injury, and has lost wages and benefits, all to Plaintiff's damage of not less than \$25,000.00.
19. That Defendant's conduct herein was intentional, knowing, willful, malicious and outrageous, and warrants an award of punitive damages in a sum pursuant to that allowed under § 510.265.1 R.S. Mo.

WHEREFORE, Plaintiff prays that this Court, after a trial by jury, find that Defendant has engaged in an unlawful practice under the laws of the State of Missouri and:

- A. Grant Plaintiff judgment against Defendant in an amount sufficient to compensate Plaintiff for physical, mental and emotional anguish and injury, lost wages and lost benefits;
- B. Award Plaintiff punitive damages in an amount sufficient to punish Defendant and deter such conduct in the future;
- C. Order Defendant to pay all costs of this suit including reasonable attorney fees; and

D. Grant any further relief that the Court deems just and proper.

Respectfully submitted,

/s/ Vincent A. Banks III

Vincent A. Banks III, #51404

Laura M. Cole, #57272

800 Washington Avenue, Ste. 134

St. Louis, MO 63101

314-409-7920

314-241-5298 (fax)

Counsel for Plaintiff